

Response To Office Action Mailed August 18, 2003

A. Pending Claims

Claims 1-36, 39, 173, and 174 are pending. Claims 3, 18, and 173 have been amended.

B. Claim Objections

The Examiner objected to claim 3 for not further limiting the parent claim. Amended claim includes the feature of: “wherein the plurality of cavities comprises a first cavity, and wherein more than one particle of the plurality of particles are positioned within the first cavity.” Applicant requests removal of the objection to claim 3.

The Examiner objected to claim 18 because of an informality. Amended claim 18 includes the change suggested by the Examiner. Applicant requests removal of the objection to claim 18.

C. Claim 173 Is Not Indefinite Under 35 U.S.C. §112, Second Paragraph

The examiner rejected claim 173 as being indefinite under 35 U.S.C. §112, second paragraph. Amended claim 173 removes the word “flood”. Applicant requests removal of the rejection of claim 173.

D. Double Patenting Rejections

The Examiner rejected or provisionally rejected the claims of the present application over: U.S. Pat. No. 6,589,779; Appl. No. 09/775,048; Appl. No. 09/775,340; Appl. No. 09/775,342; and Appl. No. 10/072,800. Applicant does not believe that a terminal disclaimer is necessary for the present application, but in the interest of expediency, a terminal disclaimer over the above noted patent and patent applications is provided as an accompanying document.

E. Additional Comments

Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

A Fee Authorization in the amount of \$55.00 is enclosed to cover fees for a terminal disclaimer. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any additional fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5119-00501/EBM.

Respectfully submitted,

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